

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

TYRONE DENNISON,

1:16-cv-3647 (NLH)

Petitioner,

v.

MEMORANDUM OPINION & ORDER

UNITED STATES OF AMERICA,

Respondent.

HILLMAN, District Judge

WHEREAS, Petitioner Tyrone Dennison filed a motion to correct, vacate, or set aside his federal sentence on June 20, 2016, (ECF No. 1); and

WHEREAS, the parties submitted a joint motion to stay the § 2255 proceedings on April 10, 2017 pending the Supreme Court's decision in Sessions v. Dimaya, 138 S. Ct. 1204 (2018), (see ECF No. 2); and

WHEREAS, the Court reopened the proceedings on July 2, 2020 and directed the parties to update the Court as to the impact of Dimaya on Petitioner's claims, (ECF No. 7); and

WHEREAS, the parties filed a consent motion to stay the case pending before the United States Court of Appeals for the Third Circuit decision in United States v. Copes, Appeal No. 19-1494, (see ECF No. 9); and

WHEREAS, the Court granted the request on September 14,

2020, ordering that “[t]he matter is stayed until the Third Circuit issues an opinion in United States v. Copes, Appeal No. 19-1494,” and “that within 14 days of the Third Circuit’s decision, counsel for the United States shall inform the Court as to the impact of the decision on Petitioner’s claims,” (ECF No. 10); and

WHEREAS, the Third Circuit issued its opinion in the Copes matter on January 6, 2021; and

WHEREAS, counsel for the United States has not provided any further information to the Court as to the impact of the decision on Petitioner’s claims,

THEREFORE, IT IS on this 9th day of March, 2021

ORDERED that the Clerk shall lift the stay and reopen this matter; and it is further

ORDERED that the parties shall inform the Court what impact the Copes decision has on Petitioner’s motion within 14 days of this order.

At Camden, New Jersey

/s Noel L. Hillman
NOEL L. HILLMAN, U.S.D.J.